

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
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October 4, 2021

Opposition No. 91270230

*James Ross aka DJ Joe Ross*

*v.*

*Chris A. Prado DBA DJ Joe Ross*

**By the Trademark Trial and Appeal Board:**

The Board notes that Applicant, Chris A. Prado, filed a *nunc pro tunc* assignment of the involved application to Opposer, which has been recorded with the Assignment Branch of the USPTO effective September 19, 2021. *See* Reel/Frame 7436/0234.

In view of the assignment to Opposer, which is effective as of the filing date of the opposed application, April 28, 2020, Mr. Prado's submission on September 19, 2021,<sup>1</sup> 18 TTABVUE, of an abandonment of application Serial No. 88890377 will be given no consideration. *See* 37 C.F.R. § 3.71(d) (the assignee of a trademark application may prosecute a trademark application); 37 C.F.R. § 3.73(b).

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<sup>1</sup> Mr. Prado's abandonment does not indicate proof of service of the submission on Opposer's counsel, as required by Trademark Rule 2.119. A copy of the abandonment can be viewed using TTABVUE at <https://ttabvue.uspto.gov/ttabvue/v?pno=91270230&pty=OPP&eno=18>.

Additionally, in view of the assignment of the involved application to Opposer, the opposition is **dismissed without prejudice** as moot.<sup>2</sup>

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<sup>2</sup> Opposer's emergency request for a telephone conference (filed September 19, 2021), 16 TTABVUE, and Opposer's withdrawal without prejudice of the opposition (filed October 4, 2021), 19 TTABVUE, are also moot.